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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,285	07/14/2003	Robert C. Pack	CA7010492001	7734
23639	7590	10/27/2006	EXAMINER	
BINGHAM, MCCUTCHEN LLP THREE EMBARCADERO CENTER 18 FLOOR SAN FRANCISCO, CA 94111-4067			TAT, BINH C	
			ART UNIT	PAPER NUMBER
			2825	

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/620,285

Applicant(s)

PACK ET AL.

Examiner

Binh C. Tat

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 0714 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2825

DETAILED ACTION

1. This is a response to the response filed on 07/24/06. The applicant argument regarding LaCour et al. are not persuasive; therefore, all the rejections based on LaCour et al. are retained and repeated for the following reasons.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 6-15 are rejected under 35 U.S.C. 102(e) as being anticipated by LaCour et al. (U.S Patent 6901574).

2. As to claim 6, LaCour et al. teach a method for generating a lithography mask (see fig 1 col. 3 lines 40-55) or a printed wafer, comprising: generating integrated circuit design data (see fig 1, 3 col 3 lines 40 to col 4 line 13); analyzing the integrated circuit design data to generate context information for each feature without the use of tags (see fig 1-5, Especially col 5 line 20-34; Lacour et al. teach to write mask by a repeated cell is loaded onto the mask tool; the repeat cell content the context information); and using the context information to write each feature of the mask or printed wafer (see 1-5 col 3 lines 40 to col 4 line 13 and col 4 line 38 to col 9 line 39 Especially col 5 line 20-34; Lacour et al. teach to write mask by a repeated cell is loaded onto the mask tool; the repeat cell content the context information) .

Art Unit: 2825

3. As to claim 7, LaCour et al. teach wherein using context information comprises: analyzing mask features for contextual priority (see fig 1, 3 col 3 lines 40 to col 4 line 13 and background).
4. As to claim 8, LaCour et al. teach wherein using context information comprises: assigning priorities to the mask features (see fig 1, 3 col 3 lines 40 to col 4 line 13 and background).
5. As to claim 9, LaCour et al. teach wherein assigning priorities to the mask features comprises: applying criteria to mask design data by manual process (see fig 1, 3 col 3 lines 40 to col 4 line 13 and background).
6. As to claim 10, LaCour et al. teach wherein assigning priorities to the mask features comprises: applying criteria to mask design data by computer-aided automated process (see col 1 lines 33 to col 2 lines 20).
7. As to claim 11, LaCour et al. teach wherein using context information comprising: analyzing mask features to determine the circuit element expected to be produced by a lithography system at a chip wafer surface (see fig 1, 3, 4 col 3 lines 8 to col 4 lines 62).
8. As to claim 12, LaCour et al. teach further comprising: configuring a mask design database to include additional contextual mask design data generated in using the contextual information from the integrated circuit design data (see fig 1-5 col 4 line 38 to col 9 line 39 Especially col 5 line 20-34; Lacour et al. teach to write mask by a repeated cell is loaded onto the mask tool; the repeat cell content the context information).

Art Unit: 2825

9. As to claim 13, LaCour et al. teach further comprising: configuring the mask design database to optimize an order of mask design data for use by a mask writing system (see 1-5 col 3 lines 40 to col 4 line 13 and col 4 line 38 to col 9 line 39).

10. As to claim 14, LaCour et al. teach wherein using context information comprises: passing context information to a mask writing system (see 1-5 col 3 lines 40 to col 4 line 13 and col 4 line 38 to col 9 line 39 and background Especially col 5 line 20-34; Lacour et al. teach to write mask by a repeated cell is loaded onto the mask tool; the repeat cell content the context information).

As to claim 15, LaCour et al. teach wherein using context information comprises: controlling a mask writing system base on the context information (see fig 1-5 col 4 line 38 to col 9 line 39 and abstraction).

Remarks

Applicant's response and remarks filed on 07/24/06 have been carefully review. Applicant's arguments have been fully considered but they are not persuasive. Key argument and their response related to the claims are listed as below:

Applicant contends that LaCour et al. do not describe "generating context information for feature of the mask or using the context information" probes as claimed, Examiner respectfully disagrees. The prior art (LaCour et al. U. S. 6901574) do teach generating context information for feature of the mask or using the context information see fig 1-5, Especially col 5 line 20-34; Lacour et al. teach to write mask by a repeated cell is loaded onto the mask tool; the repeat cell content the context information).

Art Unit: 2825

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh C. Tat whose telephone number is (571) 272-1908. The examiner can normally be reached on 7:30 - 4:00 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew Smith can be reached on (571) 272-1907. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2825

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Binh Tat
Art Unit 2825
October 13, 2006


JACK CHIANG
SUPERVISORY PATENT EXAMINER